

LAW OFFICE OF

YEE LING POON, LLC

9 Mott Street, 4th Floor
New York, NY 10013
(212) 385-4575

Mo Q. Chin, Esq.
Law Office of Yee Ling Poon
9 Mott St. 4 Fl.
New York NY 10013
(212) 385-4575

July 11, 2025

Honorable Margaret M. Garnett
United States District Court
Southern District of New York
New York, New York

Re: 1:25-cv-05618

Dear Judge Garnett,

I am writing, as per the order of the Court, to provide proof of timely service of my office's Petition for a Writ of Habeas Corpus, and this court's Order to Show Cause, to the Respondents in the instant case. I served the following Respondents via overnight FedEx delivery: Michael Borgen; Kristi Noem; and Pam Bondi. I also served the United States Attorney's Office for the Southern District of New York by hand delivery. I am submitting an Affirmation of Service, as well as copies of the FedEx receipts, attached to this letter.

Respectfully,



Mo Q. Chin, Esq.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LIN, Jianmei

A# 028-776-564

(List the name(s) of the plaintiff(s)/petitioner(s).)

1:25 Civ. 05618 (MMG) ()

- against -

AFFIRMATION OF SERVICE

Michael Borgen;

Kristin Noem; and

Pam Bondi.

(List the name(s) of the defendant(s)/respondent(s).)


I, (print your name) Mo Q. Chin, Esq., declare under penalty of perjury that I served a copy of the attached (list the names of the documents you served): Summons in a Civil Action; Order to Show Cause; and Petition for a Writ of Habeas Corpus.

upon all other parties in this case by (state how you served the documents, for example, hand delivery, mail, overnight express) Overnight FedEx to the following persons (list the names and addresses of the people you served): Michael Borgen; Kristi Noem; and Pam Bondi.

on (date you served the document(s)) July 10, 2025

July 11, 2025

Dated


Signature 9 Mott St. 4 Fl.

Address New York NY

City, State 10013

Zip 212-385-4575

Telephone Number MoQChin@YLPoonLaw.com

E-Mail Address



Package
US Airbill

FedEx Tracking Number 8179 3960 5813

From Please print and press hard.

Date 07/10/25 Sender's FedEx Account Number SENDER'S FEDEX ACCOUNT NUMBER ONLY
Sender's Name Yee Ling Poon Phone (212) 385-4575

Company LAW OFFICE OF YEE LING POON

Address 401 W 111 ST STE 400 Dept./Floor/Suite/Room

City NEW YORK State NY ZIP 10013-5002

Your Internal Billing Reference
First 24 characters will appear on invoice.

OPTIONAL

To Recipient's Name Michael Borgen Phone ()

Company USCIS

Address 26 Federal Plaza # 0127 We cannot deliver to P.O. boxes or P.O. ZIP codes. Dept./Floor/Suite/Room
Hold Weekday FedEx location address REQUIRED. (Not available for FedEx First Overnight.)

Address Use this line for the HOLD location address or for continuation of your shipping address.
Hold Saturday FedEx location address REQUIRED. (Not available for FedEx Priority Overnight and FedEx 2Day to select locations.)

City New York State NY ZIP 10278

0140301724



Ship it. Track it. Pay for it. All online.
Go to fedex.com

Form ID No. 0215

Sender's Copy

4 Express Package Service *To most locations.

Packages up to 150 lbs.
For packages over 150 lbs., use the FedEx Express Freight US Airbill.

- ☐ FedEx First Overnight
Earliest next business morning delivery to select locations. Friday shipments will be delivered on Monday unless Saturday Delivery is selected.
- ☒ FedEx Priority Overnight
Next business morning.* Friday shipments will be delivered on Monday unless Saturday Delivery is selected.
- ☐ FedEx Standard Overnight
Next business afternoon.* Saturday Delivery NOT available.

- ☐ FedEx 2Day A.M.
Second business morning.* Saturday Delivery NOT available.
- ☐ FedEx 2Day
Second business afternoon.* Thursday shipments will be delivered on Monday unless Saturday Delivery is selected.
- ☐ FedEx Express Saver
Third business day.* Saturday Delivery NOT available.

5 Packaging *Declared value limit \$500.

- ☒ FedEx Envelope* ☐ FedEx Pak* ☐ FedEx Box ☐ FedEx Tube ☐ Other

6 Special Handling and Delivery Signature Options Fees may apply. See the FedEx Service Guide.

- ☐ Saturday Delivery
NOT available for FedEx Standard Overnight, FedEx 2Day A.M., or FedEx Express Saver.
- ☐ No Signature Required
Package may be left without obtaining a signature for delivery.
- ☐ Direct Signature
Someone at recipient's address may sign for delivery.
- ☐ Indirect Signature
If no one is available at recipient's address, someone at a neighboring address may sign for delivery. For residential deliveries only.

Does this shipment contain dangerous goods?

- ☒ No ☐ Yes As per associated Shipper's Declaration. ☐ Yes Shipper's Declaration not required. ☐ Dry Ice
Dry ice, 9, UN 1845 x kg
- Restrictions apply for dangerous goods — see the current FedEx Service Guide. ☐ Cargo Aircraft Only

7 Payment Bill to:

This airbill can be used only when billing to a FedEx account number. For cash, check, or credit card transactions, please go to a staffed shipping location.

- Sender Acct. No. in Section 1 will be billed. ☐ Recipient ☐ Third Party

FedEx Acct. No. Total Packages Total Weight Total Declared Value¹
1 lbs. \$.00

¹Our liability is limited to US\$100 unless you declare a higher value. See back for details. By using this airbill you agree to the service conditions on the back of this airbill and in the current FedEx Service Guide, including terms that limit our liability.

Rev. Date 4/22 • Part 1761314 • ©1994-2022 FedEx • PRINTED IN U.S.A.

611



Package
US Airbill

FedEx Tracking Number 8179 3960 5824

From Please print and press hard.

Date 7/10/25 Sender's FedEx Account Number SENDER'S FEDEX ACCOUNT NUMBER ONLY
Sender's Name Yee Ling Poon Phone (212) 385-4575

Company LAW OFFICE OF YEE LING POON

Address 401 W 111 ST STE 400 Dept./Floor/Suite/Room

City NEW YORK State NY ZIP 10013-5002

Your Internal Billing Reference
First 24 characters will appear on invoice.

OPTIONAL

To Recipient's Name Pam Bondi Phone ()

Company US AG

Address 950 Pennsylvania Ave, NW We cannot deliver to P.O. boxes or P.O. ZIP codes. Dept./Floor/Suite/Room
Hold Weekday FedEx location address REQUIRED. (Not available for FedEx First Overnight.)

Address Use this line for the HOLD location address or for continuation of your shipping address.
Hold Saturday FedEx location address REQUIRED. (Not available for FedEx Priority Overnight and FedEx 2Day to select locations.)

City Washington State DC ZIP 20530

0140301724

Form ID No. 0215

Sender's Copy

4 Express Package Service *To most locations.

Packages up to 150 lbs.
For packages over 150 lbs., use the FedEx Express Freight US Airbill.

- ☐ FedEx First Overnight
Earliest next business morning delivery to select locations. Friday shipments will be delivered on Monday unless Saturday Delivery is selected.
- ☒ FedEx Priority Overnight
Next business morning.* Friday shipments will be delivered on Monday unless Saturday Delivery is selected.
- ☐ FedEx Standard Overnight
Next business afternoon.* Saturday Delivery NOT available.

- ☐ FedEx 2Day A.M.
Second business morning.* Saturday Delivery NOT available.
- ☐ FedEx 2Day
Second business afternoon.* Thursday shipments will be delivered on Monday unless Saturday Delivery is selected.
- ☐ FedEx Express Saver
Third business day.* Saturday Delivery NOT available.

5 Packaging *Declared value limit \$500.

- ☒ FedEx Envelope* ☐ FedEx Pak* ☐ FedEx Box ☐ FedEx Tube ☐ Other

6 Special Handling and Delivery Signature Options Fees may apply. See the FedEx Service Guide.

- ☐ Saturday Delivery
NOT available for FedEx Standard Overnight, FedEx 2Day A.M., or FedEx Express Saver.
- ☐ No Signature Required
Package may be left without obtaining a signature for delivery.
- ☐ Direct Signature
Someone at recipient's address may sign for delivery.
- ☐ Indirect Signature
If no one is available at recipient's address, someone at a neighboring address may sign for delivery. For residential deliveries only.

Does this shipment contain dangerous goods?

- ☒ No ☐ Yes As per associated Shipper's Declaration. ☐ Yes Shipper's Declaration not required. ☐ Dry Ice
Dry ice, 9, UN 1845 x kg
- Restrictions apply for dangerous goods — see the current FedEx Service Guide. ☐ Cargo Aircraft Only

7 Payment Bill to:

This airbill can be used only when billing to a FedEx account number. For cash, check, or credit card transactions, please go to a staffed shipping location.

- Sender Acct. No. in Section 1 will be billed. ☐ Recipient ☐ Third Party

FedEx Acct. No. Total Packages Total Weight Total Declared Value¹
1 lbs. \$.00

¹Our liability is limited to US\$100 unless you declare a higher value. See back for details. By using this airbill you agree to the service conditions on the back of this airbill and in the current FedEx Service Guide, including terms that limit our liability.

611

Express Package **US Airbill** FedEx Tracking Number **8179 3960 5835**

Please print and press hard.

Date **7/10/25** Sender's FedEx Account Number **SENDER'S FED EX ACCOUNT NUMBER ONLY**

Shipper's Name **Yee ling poon** Phone (**212**) **385-4579**

Company **LAW OFFICE OF YEE LING POON**

Address **9 MUTT ST STE 400**

Dept./Floor/Suite/Room

City **NEW YORK** State **NY** ZIP **10013-5002**

Internal Billing Reference

4 characters will appear on invoice.

OPTIONAL

Shipper's Name **Kristi Noem** Phone ()

Company **DHS**

Address **26 Federal Plaza #500**

Dept./Floor/Suite/Room

Address line for the HOLD location address or for continuation of your shipping address.

City **New York** State **NY** ZIP **10278**

0140301724

Ship it. Track it. Pay for it. All online.
Go to fedex.com

Form ID No. **0215**

Sender's Copy

4 Express Package Service *To most locations.

Packages up to 150 lbs.
For packages over 150 lbs., use the FedEx Express Freight US Airbill.

☐ **FedEx First Overnight**
Earliest next business morning delivery to select locations. Friday shipments will be delivered on Monday unless Saturday Delivery is selected.

☒ **FedEx Priority Overnight**
Next business morning.* Friday shipments will be delivered on Monday unless Saturday Delivery is selected.

☐ **FedEx Standard Overnight**
Next business afternoon.* Saturday Delivery NOT available.

☐ **FedEx 2Day A.M.**
Second business morning.* Saturday Delivery NOT available.

☐ **FedEx 2Day**
Second business afternoon.* Thursday shipments will be delivered on Monday unless Saturday Delivery is selected.

☐ **FedEx Express Saver**
Third business day.* Saturday Delivery NOT available.

5 Packaging *Declared value limit \$500.

☒ **FedEx Envelope*** ☐ **FedEx Pak*** ☐ **FedEx Box** ☐ **FedEx Tube** ☐ **Other**

6 Special Handling and Delivery Signature Options Fees may apply. See the FedEx Service Guide.

☐ **Saturday Delivery**
NOT available for FedEx Standard Overnight, FedEx 2Day A.M., or FedEx Express Saver.

☐ **No Signature Required**
Package may be left without obtaining a signature for delivery.

☐ **Direct Signature**
Someone at recipient's address may sign for delivery.

☐ **Indirect Signature**
If no one is available at recipient's address, someone at a neighboring address may sign for delivery. For residential deliveries only.

Does this shipment contain dangerous goods?

☒ **No** ☐ **Yes** As per associated Shipper's Declaration. ☐ **Yes** Shipper's Declaration not required. ☐ **Dry Ice** Dry ice, 9, UN 1845 _____ x _____ kg

Restrictions apply for dangerous goods—see the current FedEx Service Guide.

☐ **Cargo Aircraft Only**

7 Payment Bill to:

This airbill can be used only when billing to a FedEx account number. For cash, check, or credit card transactions, please go to a staffed shipping location.

Sender Acct. No. in Section 1 will be billed. ☐ **Recipient** ☐ **Third Party**

FedEx Acct. No.

Total Packages **1** Total Weight _____ lbs. Total Declared Value† \$ _____ .00

Our liability is limited to US\$100 unless you declare a higher value. See back for details. By using this airbill you agree to the service conditions on the back of this airbill and in the current FedEx Service Guide, including terms that limit our liability.

Rev. Date 4/22 - Part #163134 - ©1994-2022 FedEx - PRINTED IN U.S.A.

611

PULL AND RETAIN THIS COPY BEFORE AFFIXING TO THE PACKAGE. NO POUCH NEEDED.

UNITED STATES DISTRICT COURT

for the

Southern District of New York

LIN Jianmei
A# 028-776-564

Plaintiff(s)

v.

Michael Borgen,
~~Kristi~~ Noem,
Pam Bondi,

Defendant(s)

Civil Action No. 1:25-cv-5618

COPY RECEIVED

JUL 10 2025

U.S. ATTORNEYS OFFICE SDNY

SUMMONS IN A CIVIL ACTION

To: <i>(Defendant's name and address)</i> Michael Borgen	USCIS 26 Federal Plaza New York NY 10278
Kristi Noem	DHS 26 Federal Plaza New York NY 10278
Pam Bondi	USAG 950 Pennsylvania Ave. NW Washington DC 20530-0001

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Mo Q. Chin, Esq.
Law Office of Yee Ling Poon, LLC
9 Mott St. 4FI
New York NY 10013

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date:

7/10/2025

s/ G. Pisarczyk

Signature of Clerk or Deputy Clerk

Tammi M. Hellwig



AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. 1:25-cv-5618

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* _____
 was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____
 on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
 _____, a person of suitable age and discretion who resides there,
 on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
 designated by law to accept service of process on behalf of *(name of organization)* _____
 on *(date)* _____; or

☐ I returned the summons unexecuted because _____; or

☒ Other *(specify)*: I served the summons on the following Defendants at their respective addresses by Certified Mail. Please see Defendants' names and addresses on previous page.
 I also served the U.S. Attorney's Office at 86 Chambers St. New York NY 10007

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date:

7/10/2025



Server's signature

Mo Q. Chin, Esq.

Printed name and title

Law Office of Yee Ling Poon, LLC
 9 Mott St. 4Fl
 New York NY 10013

Server's address

Additional information regarding attempted service, etc:

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JIANMEI LIN,

Petitioner,

-against-

MICHAEL BORGEN, et al.,

Respondents.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 7/9/2025

25-CV-05618 (MMG)

**ORDER TO SHOW
CAUSE**

MARGARET M. GARNETT, United States District Judge:

Upon consideration of Petitioner's Petition for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241, IT IS HEREBY ORDERED that:

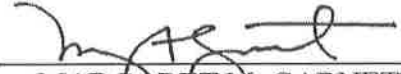
1. Respondents are ORDERED to file a return on the Order to Show Cause why the Petition for a Writ of Habeas Corpus should not be granted by **July 15, 2025**.
2. Petitioner shall have an opportunity to reply by **July 18, 2025**.
3. The parties shall appear before this Court for a hearing on the petition on **July 21, 2025** at 2:00 p.m. in Courtroom 906 of the Thurgood Marshall Courthouse, 40 Foley Square, New York, New York 10007.
4. Pending consideration of the Petition, Respondents are hereby RESTRAINED from transferring the Petitioner out of the Southern District of New York.

By **July 10, 2025**, Petitioner's counsel is directed (1) to serve Respondents with a copy of the petition, along with a copy of this Order, by overnight mail or hand-delivery to the United States Attorney's Office for the Southern District of New York at 86 Chambers Street, New York, NY; and (2) to promptly file proof of such service on the docket.

Counsel for Respondents shall promptly enter notices of appearance

Dated: July 9, 2025
New York, New York

SO ORDERED.



MARGARET M. GARNETT
United States District Judge

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS
LIN, Jianmei
A# 028-776-564

DEFENDANTS
Michael Borgen, USCIS; Kristi Noem, DHS; Pam Bondi USAG

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)
Law Office of Yee Ling Poon
9 Mott St. 4 Fl. New York NY 10013
212-385-4575

ATTORNEYS (IF KNOWN)

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

Petition for Writ of Habeas Corpus 28 U.S.C. § 2241

Has this action, case, or proceeding, or one essentially the same, been previously filed in SDNY at any time? No ☒ Yes ☐ (If yes, Judge Previously Assigned)

If yes, was this case Vol. ☐ Invol. ☐ Dismissed. No ☐ Yes ☐ If yes, give date _____ & Case No. _____

IS THIS AN INTERNATIONAL ARBITRATION CASE? No ☒ Yes ☐

(PLACE AN [x] IN ONE BOX ONLY)

NATURE OF SUIT

TORTS

ACTIONS UNDER STATUTES

CONTRACT

- ☐ 110 INSURANCE
- ☐ 120 MARINE
- ☐ 130 MILLER ACT
- ☐ 140 NEGOTIABLE INSTRUMENT
- ☐ 150 RECOVERY OF OVERPAYMENT & ENFORCEMENT OF JUDGMENT
- ☐ 151 MEDICARE ACT
- ☐ 152 RECOVERY OF DEFAULTED STUDENT LOANS (EXCL VETERANS)
- ☐ 153 RECOVERY OF OVERPAYMENT OF VETERAN'S BENEFITS
- ☐ 160 STOCKHOLDERS SUITS
- ☐ 190 OTHER CONTRACT
- ☐ 195 CONTRACT PRODUCT LIABILITY
- ☐ 196 FRANCHISE

REAL PROPERTY

- ☐ 210 LAND CONDEMNATION
- ☐ 220 FORECLOSURE
- ☐ 230 RENT LEASE & EJECTMENT
- ☐ 240 TORTS TO LAND
- ☐ 245 TORT PRODUCT LIABILITY
- ☐ 290 ALL OTHER REAL PROPERTY

PERSONAL INJURY

- ☐ 310 AIRPLANE
- ☐ 315 AIRPLANE PRODUCT LIABILITY
- ☐ 320 ASSAULT, LIBEL & SLANDER
- ☐ 330 FEDERAL EMPLOYERS' LIABILITY
- ☐ 340 MARINE
- ☐ 345 MARINE PRODUCT LIABILITY
- ☐ 350 MOTOR VEHICLE
- ☐ 355 MOTOR VEHICLE PRODUCT LIABILITY
- ☐ 360 OTHER PERSONAL INJURY
- ☐ 362 PERSONAL INJURY - MED MALPRACTICE

ACTIONS UNDER STATUTES

- ☐ 440 OTHER CIVIL RIGHTS (Non-Prisoner)
- ☐ 441 VOTING
- ☐ 442 EMPLOYMENT
- ☐ 443 HOUSING/ ACCOMMODATIONS
- ☐ 445 AMERICANS WITH DISABILITIES - EMPLOYMENT
- ☐ 446 AMERICANS WITH DISABILITIES - OTHER
- ☐ 448 EDUCATION

PERSONAL INJURY

- ☐ 367 HEALTHCARE/ PHARMACEUTICAL PERSONAL INJURY/PRODUCT LIABILITY
- ☐ 365 PERSONAL INJURY PRODUCT LIABILITY
- ☐ 368 ASBESTOS PERSONAL INJURY PRODUCT LIABILITY

PERSONAL PROPERTY

- ☐ 370 OTHER FRAUD
- ☐ 371 TRUTH IN LENDING
- ☐ 380 OTHER PERSONAL PROPERTY DAMAGE
- ☐ 385 PROPERTY DAMAGE PRODUCT LIABILITY

PRISONER PETITIONS

- ☐ 463 ALIEN DETAINEE
- ☐ 510 MOTIONS TO VACATE SENTENCE 28 USC 2255
- ☒ 530 HABEAS CORPUS
- ☐ 535 DEATH PENALTY
- ☐ 540 MANDAMUS & OTHER

PRISONER CIVIL RIGHTS

- ☐ 550 CIVIL RIGHTS
- ☐ 555 PRISON CONDITION
- ☐ 560 CIVIL DETAINEE CONDITIONS OF CONFINEMENT

FORFEITURE/PENALTY

- ☐ 625 DRUG RELATED SEIZURE OF PROPERTY 21 USC 881
- ☐ 690 OTHER

PROPERTY RIGHTS

- ☐ 820 COPYRIGHTS
- ☐ 830 PATENT
- ☐ 835 PATENT-ABBREVIATED NEW DRUG APPLICATION
- ☐ 840 TRADEMARK
- ☐ 880 DEFEND TRADE SECRETS ACT

LABOR

- ☐ 710 FAIR LABOR STANDARDS ACT
- ☐ 720 LABOR/MGMT RELATIONS
- ☐ 740 RAILWAY LABOR ACT
- ☐ 751 FAMILY MEDICAL LEAVE ACT (FMLA)
- ☐ 790 OTHER LABOR LITIGATION
- ☐ 791 EMPL RET INC SECURITY ACT (ERISA)

IMMIGRATION

- ☐ 462 NATURALIZATION APPLICATION
- ☐ 465 OTHER IMMIGRATION ACTIONS

BANKRUPTCY

- ☐ 422 APPEAL 28 USC 158
- ☐ 423 WITHDRAWAL 28 USC 157

SOCIAL SECURITY

- ☐ 861 HIA (1395ff)
- ☐ 862 BLACK LUNG (923)
- ☐ 863 DIWC/DIWW (405(g))
- ☐ 864 SSID TITLE XVI
- ☐ 865 RSI (405(g))

FEDERAL TAX SUITS

- ☐ 870 TAXES (U.S. Plaintiff or Defendant)
- ☐ 871 IRS-THIRD PARTY 26 USC 7609

OTHER STATUTES

- ☐ 375 FALSE CLAIMS
- ☐ 376 QUI TAM
- ☐ 400 STATE REAPPORTIONMENT
- ☐ 410 ANTITRUST
- ☐ 430 BANKS & BANKING
- ☐ 450 COMMERCE
- ☐ 460 DEPORTATION
- ☐ 470 RACKETEER INFLUENCED & CORRUPT ORGANIZATION ACT (RICO)
- ☐ 480 CONSUMER CREDIT
- ☐ 485 TELEPHONE CONSUMER PROTECTION ACT
- ☐ 490 CABLE/SATELLITE TV
- ☐ 850 SECURITIES/ COMMODITIES/ EXCHANGE
- ☐ 890 OTHER STATUTORY ACTIONS
- ☐ 891 AGRICULTURAL ACTS
- ☐ 893 ENVIRONMENTAL MATTERS
- ☐ 895 FREEDOM OF INFORMATION ACT
- ☐ 896 ARBITRATION
- ☐ 899 ADMINISTRATIVE PROCEDURE ACT/REVIEW OR APPEAL OF AGENCY DECISION
- ☐ 950 CONSTITUTIONALITY OF STATE STATUTES

Check if demanded in complaint:

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y. AS DEFINED BY LOCAL RULE FOR DIVISION OF BUSINESS 13? IF SO, STATE:

DEMAND \$ _____ OTHER _____ JUDGE _____ DOCKET NUMBER _____

Check YES only if demanded in complaint

JURY DEMAND: YES x NO

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32)

(PLACE AN x IN ONE BOX ONLY)

ORIGIN

- ☒ 1 Original Proceeding
 ☐ 2 Removed from State Court
 ☐ 3 Remanded from Appellate Court
 ☐ 4 Reinstated or Reopened
 ☐ 5 Transferred from (Specify District)
 ☐ 6 Multidistrict Litigation (Transferred)
 ☐ 7 Appeal to District Judge from Magistrate Judge
 ☐ 8 Multidistrict Litigation (Direct File)
- ☐ a. all parties represented
☐ b. At least one party is pro se.

(PLACE AN x IN ONE BOX ONLY)

BASIS OF JURISDICTION

IF DIVERSITY, INDICATE CITIZENSHIP BELOW.

- ☐ 1 U.S. PLAINTIFF
 ☒ 2 U.S. DEFENDANT
 ☐ 3 FEDERAL QUESTION (U.S. NOT A PARTY)
 ☐ 4 DIVERSITY

CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF [] 1	DEF [] 1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF DEF [] 3 [] 3	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF DEF [] 5 [] 5
CITIZEN OF ANOTHER STATE	[] 2	[] 2	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[] 4 [] 4	FOREIGN NATION	[] 6 [] 6

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

14027 Laborum Ave. 1 Fl.
Flushing NY 11355

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

Michael Borgem, USCIS 26 Federal Plaza New York NY 10278;
 Kristi Noemi, DHS 26 Federal Plaza New York NY 10278;
 Pam Bondi, USAG 950 Pennsylvania Ave. NW Washington DC 20530-0001

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

COURTHOUSE ASSIGNMENT

I have reviewed Rules 18(a) and 20(a) of the Rules for the Division of Business Among District Judges, Southern District of New York, and I hereby certify that this case should be assigned to the courthouse indicated below pursuant thereto.

Check one: THIS ACTION SHOULD BE ASSIGNED TO:

☐

WHITE PLAINS

☒

MANHATTAN

DATE 07/09/2025 /s/ Mo Q. Chin, Esq.

SIGNATURE OF ATTORNEY OF RECORD

RECEIPT #

ADMITTED TO PRACTICE IN THIS DISTRICT

[] NO

[X] YES (DATE ADMITTED Mo. May Yr. 2019)

Attorney Bar Code # 5680434

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge _____ is so designated.

Tammi M. Hellwig, Clerk of Court by _____ Deputy Clerk, Dated _____

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)

UNITED STATES DISTRICT COURT

for the
Southern District of New YorkLIN, Jianmei
A# 028-776-564*Petitioner*

v.

Michael Borgen, USCIS Acting Field Office Director;
Kristi Noem, Dep't Homeland Security;
Pam Bondi, US Attorney General.*Respondent**(name of warden or authorized person having custody of petitioner)*

Case No.

1:25-cv-5618*(Supplied by Clerk of Court)*

PETITION FOR A WRIT OF HABEAS CORPUS UNDER 28 U.S.C. § 2241

Personal Information

1. (a) Your full name: LIN, Jianmei
(b) Other names you have used: Mei Lin-Jian
2. Place of confinement:
(a) Name of institution: ICE DHS
(b) Address: 26 Federal Plaza
New York NY 10278
(c) Your identification number: A# 028-776-564
3. Are you currently being held on orders by:
☒ Federal authorities ☐ State authorities ☐ Other - explain:

4. Are you currently:
☐ A pretrial detainee (waiting for trial on criminal charges)
☐ Serving a sentence (incarceration, parole, probation, etc.) after having been convicted of a crime
If you are currently serving a sentence, provide:
(a) Name and location of court that sentenced you: _____
(b) Docket number of criminal case: _____
(c) Date of sentencing: _____
☒ Being held on an immigration charge
☐ Other (explain): _____

Decision or Action You Are Challenging

5. What are you challenging in this petition:

- ☐ How your sentence is being carried out, calculated, or credited by prison or parole authorities (for example, revocation or calculation of good time credits)
- ☐ Pretrial detention
- ☒ Immigration detention
- ☐ Detainer
- ☐ The validity of your conviction or sentence as imposed (for example, sentence beyond the statutory maximum or improperly calculated under the sentencing guidelines)
- ☐ Disciplinary proceedings
- ☐ Other (*explain*): _____

6. Provide more information about the decision or action you are challenging:

(a) Name and location of the agency or court: ICE DHS

(b) Docket number, case number, or opinion number: A# 028-776-564

(c) Decision or action you are challenging (*for disciplinary proceedings, specify the penalties imposed*):

Immigration detention

(d) Date of the decision or action: 07/08/2025

Your Earlier Challenges of the Decision or Action7. **First appeal**

Did you appeal the decision, file a grievance, or seek an administrative remedy?

☐ Yes ☒ No

(a) If "Yes," provide:

(1) Name of the authority, agency, or court: _____

(2) Date of filing: _____

(3) Docket number, case number, or opinion number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

(b) If you answered "No," explain why you did not appeal:

There is no right of appeal to the decision to detain Petitioner

8. **Second appeal**

After the first appeal, did you file a second appeal to a higher authority, agency, or court?

☐ Yes

☐ No

(a) If "Yes," provide:

(1) Name of the authority, agency, or court:

(2) Date of filing:

(3) Docket number, case number, or opinion number:

(4) Result:

(5) Date of result:

(6) Issues raised:

(b) If you answered "No," explain why you did not file a second appeal:

9. **Third appeal**

After the second appeal, did you file a third appeal to a higher authority, agency, or court?

☐ Yes

☐ No

(a) If "Yes," provide:

(1) Name of the authority, agency, or court:

(2) Date of filing:

(3) Docket number, case number, or opinion number:

(4) Result:

(5) Date of result:

(6) Issues raised:

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(b) If you answered “No,” explain why you did not file a third appeal:

10. **Motion under 28 U.S.C. § 2255**

In this petition, are you challenging the validity of your conviction or sentence as imposed?

☐ Yes

☒ No

If “Yes,” answer the following:

(a) Have you already filed a motion under 28 U.S.C. § 2255 that challenged this conviction or sentence?

☐ Yes

☐ No

If “Yes,” provide:

(1) Name of court:

(2) Case number:

(3) Date of filing:

(4) Result:

(5) Date of result:

(6) Issues raised:

(b) Have you ever filed a motion in a United States Court of Appeals under 28 U.S.C. § 2244(b)(3)(A), seeking permission to file a second or successive Section 2255 motion to challenge this conviction or sentence?

☐ Yes

☐ No

If “Yes,” provide:

(1) Name of court:

(2) Case number:

(3) Date of filing:

(4) Result:

(5) Date of result:

(6) Issues raised:

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- (c) Explain why the remedy under 28 U.S.C. § 2255 is inadequate or ineffective to challenge your conviction or sentence:

11. Appeals of immigration proceedings

Does this case concern immigration proceedings?

☒ Yes ☐ No

If "Yes," provide:

- (a) Date you were taken into immigration custody: 07/08/2025
- (b) Date of the removal or reinstatement order: 10/06/1994
- (c) Did you file an appeal with the Board of Immigration Appeals?

☒ Yes ☐ No

If "Yes," provide:

- (1) Date of filing: 10/17/1994
- (2) Case number: A028776564
- (3) Result: Dismissed
- (4) Date of result: 04/01/1996
- (5) Issues raised:

- (d) Did you appeal the decision to the United States Court of Appeals?

☐ Yes ☒ No

If "Yes," provide:

- (1) Name of court:
- (2) Date of filing:
- (3) Case number:

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(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

_____**12. Other appeals**

Other than the appeals you listed above, have you filed any other petition, application, or motion about the issues raised in this petition?

☐ Yes☒ No

If "Yes," provide:

(a) Kind of petition, motion, or application: _____

(b) Name of the authority, agency, or court: _____

(c) Date of filing: _____

(d) Docket number, case number, or opinion number: _____

(e) Result: _____

(f) Date of result: _____

(g) Issues raised: _____

_____**Grounds for Your Challenge in This Petition**

13. State every ground (reason) that supports your claim that you are being held in violation of the Constitution, laws, or treaties of the United States. Attach additional pages if you have more than four grounds. State the facts supporting each ground.

GROUND ONE: Petitioner has an approved I-130 Petition and an approved I-212 Application.

Petitioner has a pending I-601A. Petitioner has pending immigration relief available to him.

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(a) Supporting facts *(Be brief. Do not cite cases or law.)*:

Petitioner has a USC wife and several USC/LPR children.

Petitioner's pending I-601A Application has a high likelihood of success.

(b) Did you present Ground One in all appeals that were available to you?

☒ Yes

☐ No

GROUND TWO:

(a) Supporting facts *(Be brief. Do not cite cases or law.)*:

(b) Did you present Ground Two in all appeals that were available to you?

☐ Yes

☐ No

GROUND THREE:

(a) Supporting facts *(Be brief. Do not cite cases or law.)*:

(b) Did you present Ground Three in all appeals that were available to you?

☐ Yes

☐ No

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GROUND FOUR:

(a) Supporting facts (*Be brief. Do not cite cases or law.*):

(b) Did you present Ground Four in all appeals that were available to you?

☐ Yes

☐ No

14. If there are any grounds that you did not present in all appeals that were available to you, explain why you did not:

Request for Relief

15. State exactly what you want the court to do: 1) Assume jurisdiction over this matter;
2) Stay the execution of Petitioner's Removal Order; 3) Schedule a bond hearing before an Immigration Judge;
4) Issue a Writ of Habeas Corpus ordering Respondents to release Petitioner immediately so that Petitioner may
await the adjudication of his pending I-601A; 5) Award Petitioner attorney's fees and costs under the Equal Access to
Justice Act, and on any other basis justified under law; and 6) Grant any further relief this Court deems just and proper.

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Declaration Under Penalty Of Perjury

If you are incarcerated, on what date did you place this petition in the prison mail system:

I declare under penalty of perjury that I am the petitioner, I have read this petition or had it read to me, and the information in this petition is true and correct. I understand that a false statement of a material fact may serve as the basis for prosecution for perjury.

Date: 07/08/2025

Detained

Signature of Petitioner

/s/ Mo Q. Chin, Esq.

Signature of Attorney or other authorized person, if any